

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ECO-BUILT, INC.,)
Plaintiff,)
)
vs.) 1:07-cv-0155-RLY-TAB
)
THE NATIONAL BANK OF)
INDIANAPOLIS,)
Defendant.)

ORDER ON ADDITIONAL POST-JUDGMENT MOTIONS

On January 29, 2010, the Court granted summary judgment in favor of Defendant, the National Bank of Indianapolis. Following issuance of a final judgment, Ed Travis, an officer of the Plaintiff, Eco-Built, Inc., filed a motion to intervene and a motion to alter or amend judgment. He claimed to have filed the latter motion on behalf of himself, as a proposed intervenor, and Eco-Built. At the time, the attorneys who had been representing Eco-Built were awaiting the court's ruling on their motion to withdraw from representation of the corporation. On May 12, 2010, the court denied Travis's motion to intervene and dismissed his motion to alter or amend. It also granted Eco-Built's counsel's motion to withdraw.

On September 14, 2010, new counsel, Robert M. Frye and Mickey Lee of the Stewart & Irwin firm, entered an appearance for Eco-Built and filed a document titled

“Plaintiff’s Request For Ruling On Post-Judgment Motion” (Docket # 73) which the court will treat as a motion. In that request/motion Eco-Built argues that the court failed to address the motion to dismiss filed by Ed Travis, insofar as it applied to Eco-Built. However, Ed Travis, to the court’s knowledge, is not an attorney and is certainly not authorized to practice law before this court. A corporation must be represented in federal court by an attorney. *U.S. v. Tri-No Enterprises, Inc.*, 819 F.2d 154, 159 (7th Cir. 1987). Consequently, he was without authority to file any motion with this court on behalf of anyone other than himself and no further issue with regard to Travis’s motion remains without ruling. Accordingly, Plaintiff’s Request For Ruling On Post-Judgment Motion (Docket # 73) is **DENIED**.

Defendant’s Motion to Strike Plaintiff’s Request for Ruling (Docket # 75) is **DENIED as MOOT**.

The Motion to Withdraw Appearance (Docket # 76) filed by attorneys Frye and Lee, is **GRANTED**.

On October 4, 2010, Ed Travis again filed a motion on behalf of Eco-Built, which this time he titled “Motion Regarding All Post Judgment Motions” (Docket # 77). That motion is **DISMISSED** because Mr. Travis is not an attorney, is not authorized to appear on behalf of Eco-Built or practice law before this court. This matter is over and has been for some time; accordingly, the court warns Mr. Travis that any further attempt on his part

to file documents on behalf of Eco-Built will, more than likely, result in a contempt citation.

SO ORDERED this 9th day of November 2010.



RICHARD L. YOUNG, CHIEF JUDGE
United States District Court
Southern District of Indiana

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